

Victims' Compensation Division—Application Descriptions
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I. Introduction

The Victims Compensation Division (VCD) of the Indiana Criminal Justice Institute (ICJI) administers the Violent Crime Victim Compensation Fund (Fund) as established in 1978 by the Indiana General Assembly. IC 5-2-6.1. The Fund receives a percentage of court fees, work release money, restitution, 75% of punitive damage awards, federal grants (VOCA and STOP), and state appropriations.

There are two (2) types of compensation applications used by the Fund:

1. Violent Crime Application - The Violent Crime Application is submitted by the Victim or other qualified party (i.e. parent, spouse, legal dependent, or personal representative); and,
2. Sex Crime Application - The Sex Crime Application is submitted by the Medical Provider who performs the forensic examination.

There are significant differences in the type of compensable services available underneath the two (2) types of compensation applications. Below please find a brief overview of each:

VIOLENT CRIME APPLICATION.

- Legal Requirements:
 - Indiana Code defines a violent crime as a felony or Class A misdemeanor that results in bodily injury or death to the Victim.
 - Crime must have occurred in Indiana. If a resident of Indiana is a crime victim in a jurisdiction other than Indiana – including a foreign country – an Application for Compensation must be filed in that jurisdiction (if available and substantially comparable to Indiana's program – if not available, then they may file an Application for Compensation in Indiana.).
 - Crime must have been reported to Police within 72 hours.
 - Victim must have incurred a minimum out-of-pocket loss of \$100.
 - Victim or survivors must have been (and remain) cooperative throughout the investigation and prosecution of the crime.
 - *The Application for Benefits must be filed no later than 180 days after the crime occurred. *Division has discretion to extend the filing time period up to two (2) years.

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- Persons Eligible for Compensation:
 - An innocent victim of any violent crime including a crash caused by a drunk driver.
 - A surviving spouse, dependent child or other legal dependent of an innocent victim who has been killed as a result of any violent crime including a crash caused by a drunk driver.
 - A person who is injured or killed trying to prevent a violent crime or giving aid to a law enforcement officer.
 - Outpatient mental health counseling for sex crime victims or the immediate family members of a homicide victim.
- Persons Ineligible for Compensation:
 - Victim who did not receive bodily injury as a result of the crime.
 - Victim who has engaged in misconduct that caused or contributed to the crime that led to the injury or death.
 - Victim who was injured while committing, attempting to commit, participating or attempting to participate in a criminal act.
 - Victim who was injured while a resident in a county, city, or federal jail or prison or in an institution operated by the Department of Corrections.
 - Victim who receives collateral source payments in excess of \$15,000. (*Note: An award will be reduced by any collateral source income received.)
 - *Claimant who fails to file an application within 180 days of the crime's occurrence. *Division has discretion to extend the filing time period up to two (2) years.
- Compensable Losses:
 - Maximum award of up to \$15,000 which MAY cover:
 - Reasonable expenses incurred for necessary medical, hospital, chiropractic, physical therapy, dental, optometric, ambulance, prescription drugs, and prosthetic devices.
 - Outpatient Mental health counseling for a Sex Crime Victim or the immediate family members of a Homicide Victim (\$2,000).
 - Lost wages (Victim).

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- Lost wages (Parent, guardian, or custodian of a Victim who is less than 18 years of age incurred by taking time off work to care of the Victim while they recover from their injuries).
 - Lost support.
 - Funeral expenses (\$4,000).
 - Child care (\$1,000) to replace child care the Victim would have supplied to legal dependents had the Victim not been injured.
 - Reasonable emergency shelter care expenses – not to exceed 30 days – that are incurred to avoid contact with a person who committed the violent crime.
 - Attorney fees (10-15% of an award depending on the circumstance).
- Non-Compensable Losses:
 - Pain and suffering.
 - Property damage and replacement of items damaged or stolen during the violent crime.
 - Relocation expenses.
 - Travel, food, and lodging to attend depositions, trials, appeals, sentencing and parole hearings.
 - Rent, utilities, food.
 - Crime scene cleanup.
 - Burial clothing, funeral flowers, food for wake, travel and lodging to attend funeral services.
- Collateral Sources of Payment:
 - As the payor of last resort on Violent Crime Applications, the Division MUST reduce the Victim's compensation award – pursuant to IC 5-2-6.1-32 - by the following:
 - Insurance – Medical, Life, Auto, Disability, Federal, State or Local programs – Medicare, Medicaid, Township Trustee, Hospital Charities.
 - Employer Benefits (Vacation/Sick/Personal days).
 - Unemployment Compensation.
 - Workers Compensation.
 - Criminal Restitution.

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- Recovery from civil litigation, insurance proceeds, or settlements.
 - Community Fundraisers or Donations.
- Violent Crime Investigative Process:
 - During the course of the Division's investigative process – we will be requesting additional information from the Victim (or Claimant), Law Enforcement, Prosecutor's Office, Medical Providers, etc.
 - Type of information we will be requesting from the Victim (or Claimant) may include, but is not limited to, one (1) or more of the following:
 - State Drivers License, State ID, Passport, Military ID, Birth Certificate, Death Certificate, Visa, Social Security Card, Paternity Affidavit, Child Support Order, Employment Record, Medical Records, Letters of Guardianship, Marriage License, Divorce Decree, Insurance Cards (Medical, Life, Auto, Disability), Pharmacy Records.
- Appeal Process:
 - If a Violent Crime Application is denied:
 - A Preliminary Determination letter will be mailed to the Victim.
 - The Victim may appeal the Division's decision by requesting an appeal hearing, in writing, within thirty (30) days from the date of the Preliminary Determination letter.
 - Appeals are heard by an Administrative Law Judge (ALJ). Depending upon the number of appeal requests, Appeal Hearings are usually held quarterly.
 - The ALJ will issue a written decision within ten (10) days after the Hearing.
 - If the Victim wishes to appeal the ALJ's decision – they must send a written request to the Executive Director of the Indiana Criminal Justice Institute within twenty-one (21) days after receipt of the ALJ's decision.

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- The Executive Director will forward the appeal request to the Board of Trustees (BOT) of the Indiana Criminal Justice Institute to be heard at their next scheduled Board meeting.
- The BOT will inform the Victim of their ruling after their Board meeting.
- Pursuant to I.C. 4-21.5-5, the Victim may appeal the BOT's ruling by filing an appeal within thirty (30) days from the date they received the BOT's ruling.

SEX CRIME APPLICATION.

- Legal Requirements:
 - Covers reimbursement for SPECIFIC services including:
 - Forensic medical exam.
 - Suturing and care of wounds that stem directly from the sex crime including anesthesia and prescribed medication.
 - Initial pregnancy testing and one (1) additional pregnancy test within thirty (30) days after an alleged sex crime.
 - Initial sexually transmitted disease testing excluding HIV and Hepatitis. Additional syphilis testing up to ninety (90) days after an alleged sex crime.
 - Alcohol and drug testing.
 - Prophylactic medication related to pregnancy or sexually transmitted diseases excluding HIV and Hepatitis.
 - Outpatient mental health counseling concerning problems directly related to an alleged sex crime.
- Reimbursement Procedure:
 - As first payor on sex crime applications – it is against the law to bill for a Provider to bill the patient prior to billing the Fund.
 - The Provider is responsible for transmitting the completed Sex Crime Application and itemized bills directly to the Division

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- Upon receipt of the Sex Crime Application and itemized bills, the Division will review the itemized bills and inform the Provider which charges are allowable and which are not.
- The Provider may bill the Victim (or their insurance company) for any services not covered by the Fund.

Victims' Compensation Division—Legislative Summary

I. Legislative Summary

The following legislation was enacted and became effective during FY 2007:

IC 5-2-6.1-39

Payment of forensic medical exams and additional forensic services

Sec. 39. (a) When a hospital acting under IC 16-21-8 provides a forensic medical exam to an alleged sex crime victim, the hospital shall furnish the forensic medical exam described in IC 16-21-8-6 without charge. The victim services division of the Indiana criminal justice institute shall reimburse a hospital for its costs in providing these services and shall adopt rules and procedures to provide for reasonable reimbursement. A hospital may not charge the victim for services required under this chapter, despite delays in reimbursement from the victim services division of the Indiana criminal justice institute.

(b) When a hospital acting under IC 16-21-8 provides additional forensic services to an alleged sex crime victim who cooperates with law enforcement under IC 16-21-8-5(b), the hospital shall furnish the additional forensic services without charge. The victim services division of the Indiana criminal justice institute shall reimburse a hospital for its costs in providing these services and may adopt rules and procedures to provide for reasonable reimbursement. A hospital may not charge the victim for services required under this chapter even if there is a delay in receiving reimbursement from the victim services division of the Indiana criminal justice institute.

(c) When a hospital acting under IC 16-21-8 provides additional forensic services to an alleged sex crime victim who does not cooperate with law enforcement under IC 16-21-8-5(b), the hospital may, with the victim's consent, seek reimbursement directly from the victim or any third party payer for any additional forensic services rendered by the hospital.

(d) Costs incurred by a hospital or other emergency medical facility for the examination of the victim of a sex crime (under IC 35-42-4) not covered under IC 16-21-8 or incest (under IC 35-46-1-3), if the examination is performed for the purposes of gathering evidence for possible prosecution, may not be charged to the victim of the crime.

(e) When a licensed medical service provider not covered by subsection (a) or (b) elects to provide a forensic medical exam to an alleged victim of one (1) or more of the sex crimes listed in IC 16-21-8-1(b), the medical service provider shall furnish the exam without charge. The victim services division of the Indiana criminal justice institute shall reimburse a medical service provider for costs in providing forensic medical exams. A medical service provider may not charge the victim for a forensic medical exam required under this chapter even if there is a delay in receiving reimbursement from the victim services division of the Indiana criminal justice institute.

(f) When a licensed medical service provider not covered by subsection (a) or (b) elects to provide additional forensic services to an alleged sex crime victim who cooperates with law enforcement under IC 16-21-8-5(b), the medical service provider shall furnish the services without charge. The victim services division of the Indiana criminal justice institute shall reimburse a medical service provider for costs in providing the additional forensic services. A

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medical service provider may not charge the victim for services required under this chapter even if there is a delay in receiving reimbursement from the victim services division of the Indiana criminal justice institute.

(g) When a medical service provider acting under IC 16-21-8 provides additional forensic services to an alleged sex crime victim who does not cooperate with law enforcement under IC 16-21-8-5(b), the medical service provider may, with the victim's consent, seek reimbursement directly from the victim or any third party payer for additional forensic services rendered by the medical service provider.

(h) The victim services division of the Indiana criminal justice institute is not required to reimburse a medical service provider for costs in providing additional forensic services unless the following conditions are met:

- (1) The victim is at least eighteen (18) years of age.
- (2) If the victim is less than eighteen (18) years of age, a report of the sex crime must be made to child protective services or a law enforcement officer.
- (3) The sex crime occurred in Indiana. If the division finds a compelling reason for failure to comply with the requirements of this section, the division may suspend the requirements of this section.

(i) Costs incurred by a licensed medical service provider for the examination of the victim of a sex crime (under IC 35-42-4) not covered under IC 16-21-8 or incest (under IC 35-46-1-3) may not be charged to the victim of the crime if the examination is performed for the purposes of gathering evidence for possible prosecution.

As added by P.L.47-1993, SEC.2. Amended by P.L.36-1997, SEC.5; P.L.121-2006, SEC.18; P.L.41-2007, SEC.1.

IC 5-2-6.1-49**Secured storage fund**

Sec. 49. (a) The secured storage fund is established as a dedicated fund to provide money to assist counties to pay expenses for the secured storage of samples from forensic medical examinations of alleged sex crime victims.

(b) The division shall administer the secured storage fund.

(c) The institute shall identify grants and other funds that can be used to fund the secured storage of samples from forensic medical examinations of alleged sex crime victims.

(d) The division may accept any gifts or donations to the secured storage fund.

(e) Money in the secured storage fund at the end of a state fiscal year does not revert to the state general fund.

As added by P.L.41-2007, SEC.2.

IC 16-21-8-0.1**"Division"**

Sec. 0.1. As used in this chapter, "division" refers to the victim services division of the Indiana criminal justice institute established by IC 5-2-6-8(a).

As added by P.L.41-2007, SEC.6.

Victims' Compensation Division—Legislative Summary**IC 16-21-8-0.3****"Evidence"**

Sec. 0.3. As used in this chapter, "evidence" means the results collected from a forensic medical exam of a victim by a provider when the victim has reported the sex crime to law enforcement.

As added by P.L.41-2007, SEC.7.

IC 16-21-8-0.5**"Provider"**

Sec. 0.5. As used in this chapter, "provider" means a hospital or licensed medical services provider that provides forensic medical exams and additional forensic services to a victim.

As added by P.L.90-2005, SEC.4. Amended by P.L.41-2007, SEC.8.

IC 16-21-8-0.6**"Sample"**

Sec. 0.6. As used in this chapter, "sample" means the result collected from a forensic medical exam of the victim by a provider, when the victim has not yet reported the sex crime to law enforcement.

As added by P.L.90-2005, SEC.5. Amended by P.L.121-2006, SEC.22; P.L.41-2007, SEC.9.

IC 16-21-8-0.7**"Secured storage"**

Sec. 0.7. As used in this chapter, "secured storage" means a method of storing a sample that will adequately safeguard the integrity and viability of the sample.

As added by P.L.90-2005, SEC.6. Amended by P.L.41-2007, SEC.10.

IC 16-21-8-0.8**"Sexual assault nurse examiner"**

Sec. 0.8. As used in this chapter, "sexual assault nurse examiner" means a registered nurse who:

- (1) has received training to provide comprehensive care to sexual assault survivors; and
- (2) can:
 - (A) conduct a forensic medical examination; and
 - (B) collect evidence from a sexual assault victim.

As added by P.L.41-2007, SEC.11.

IC 16-21-8-0.9**"Victim"**

Sec. 0.9. As used in this chapter, "victim" means an alleged sex crime victim.

As added by P.L.41-2007, SEC.12.

IC 16-21-8-1

Victims' Compensation Division—Legislative Summary

Forensic medical exams and additional forensic services; rules; enumeration of sex crimes

Sec. 1. (a) A hospital licensed under IC 16-21-2 that provides general medical and surgical hospital services shall provide forensic medical exams and additional forensic services to all alleged sex crime victims who apply for forensic medical exams and additional forensic services in relation to injuries or trauma resulting from the alleged sex crime. The provision of services may not be dependent on a victim's reporting to, or cooperating with, law enforcement.

(b) For the purposes of this chapter, the following crimes are considered sex crimes:

- (1) Rape (IC 35-42-4-1).
- (2) Criminal deviate conduct (IC 35-42-4-2).
- (3) Child molesting (IC 35-42-4-3).
- (4) Vicarious sexual gratification (IC 35-42-4-5).
- (5) Sexual battery (IC 35-42-4-8)
- (6) Sexual misconduct with a minor (IC 35-42-4-9)
- (7) Child solicitation (IC 35-42-4-6)
- (8) Child seduction (IC 35-42-4-7)
- (9) Incest (IC 35-46-1-3)

(c) Payment for services under this section shall be processed in accordance with rules adopted by the victim services division of the Indiana criminal justice institute.

As added by P.L.2-1993, SEC.4. Amended by P.L.47-1993, SEC.7; P.L.36-1997, SEC.7; P.L.121-2006, SEC.23; P.L.41-2007, SEC.13.

IC 16-21-8-1.5**Appointment of a sexual assault response team**

Sec. 1.5. If a sexual assault response team has not been established in a county, the prosecuting attorney shall appoint a sexual assault response team in that county, or the county shall join with one (1) or more other counties to create a regional team, to comply with duties assigned to sexual assault response teams under this chapter.

As added by P.L.41-2007, SEC.14.

IC 16-21-8-2**County or regional sexual response team; duties**

Sec. 2. (a) Each county or regional sexual assault response team shall develop a plan that establishes the protocol for sexual assault victim response and treatment, including the:

- (1) collection;
- (2) preservation;
- (3) secured storage; and
- (4) destruction;

of samples.

(b) The plan under subsection (a) shall address the following regarding an alleged sexual assault victim who is at least eighteen (18) years of age and who either reports a sexual assault or elects not to report a sexual assault to law enforcement:

(1) The method of maintaining the confidentiality of the alleged sexual assault victim regarding the chain of custody and secured storage of a sample.

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(2) The development of a victim notification form that notifies an alleged sexual assault victim of his or her rights under the law.

(3) How a victim will receive the victim notification form.

(4) Identification of law enforcement agencies that will be responsible to transport samples.

(5) Agreements between medical providers and law enforcement agencies to pick up and store samples.

(6) Maintaining samples in secured storage.

(7) Procedures to destroy a sample following applicable statute of limitations.

As added by P.L.2-1993, SEC.4. Amended by P.L.121-2006, SEC.24; P.L.41-2007, SEC.15.

IC 16-21-8-3**Forensic medical exams and additional forensic services; consent**

Sec. 3. A physician or sexual assault nurse examiner who provides forensic medical exams and additional forensic services shall provide the forensic medical exams and additional forensic services to an alleged sex crime victim under this chapter with the consent of the alleged sex crime victim.

As added by P.L.2-1993, SEC.4. Amended by P.L.121-2006, SEC.25; P.L.41-2007, SEC.16.

IC 16-21-8-4**Assistance in development and operation of forensic medical exams and additional forensic services**

Sec. 4. The victim services division of the Indiana criminal justice institute shall assist in the development and operation of programs that provide forensic medical exams and additional forensic services to alleged sex crime victims, and if necessary, provide grants to hospitals for this purpose.

As added by P.L.2-1993, SEC.4. Amended by P.L.47-1993, SEC.8; P.L.121-2006, SEC.26.

IC 16-21-8-5**Payment of forensic medical exams; requirements; suspension**

Sec. 5. (a) The division shall award compensation or reimbursement under this chapter for forensic medical exams.

(b) The division is not required to award compensation or reimbursement under this chapter for additional forensic services unless the following conditions are met:

(1) The victim is at least eighteen (18) years of age.

(2) If the victim is less than eighteen (18) years of age, a report of the sex crime must be made to child protective services or a law enforcement officer.

(3) The sex crime occurred in Indiana.

If the division finds a compelling reason for failure to comply with the requirements of this section, the division may suspend the requirements of this section.

(c) A claim filed for services provided at a time before the provision of the forensic medical exams and additional forensic services for which an application for reimbursement is filed is not covered under this chapter.

As added by P.L.2-1993, SEC.4. Amended by P.L.47-1993, SEC.9; P.L.90-2005, SEC.7; P.L.121-2006, SEC.27; P.L.41-2007, SEC.17.

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IC 16-21-8-9**Duties of a provider; delayed implementation**

Sec. 9. (a) Prior to the discharge of a victim from the hospital, a provider shall:

(1) require the victim to sign a form that notifies the victim of his or her rights under this chapter;

(2) provide a copy of the signed form to the victim; and

(3) inform law enforcement that the sample is available.

(b) The director of the Indiana criminal justice institute may delay the implementation of this section until the earlier of the following:

(1) A date set by the director.

(2) The date funding becomes available by a grant through the criminal justice institute or by an appropriation from the general assembly.

If the director of the criminal justice institute delays implementation of this section, the director shall notify the prosecuting attorney of each county of the director's action and when funding become available to implement this section.

As added by P.L.41-2007, SEC.18.

IC 16-21-8-10**Law enforcement duty to transport a sample to secured storage; victim notification; county plans**

Sec. 10. (a) Law enforcement shall:

(1) obtain the sample within forty-eight (48) hours after receiving a provider's notification; and

(2) transport the sample to secured storage.

(b) Law enforcement shall keep the sample in secured storage until the earlier of the following:

(1) At least one (1) year after the date the sample is placed in secured storage.

(2) The victim reports the sex crime to law enforcement and the sample is transported to the crime lab for investigation and use as evidence.

(c) The division shall notify the victim, as described in subsection (d), that the victim's sample will be removed from secured storage and may be destroyed if the victim does not report the sex crime to law enforcement on or before the date described in subsection (b)(1).

(d) The notice the division is required to provide a victim under subsection (c) shall be sent:

(1) by first class mail to the individual's last known address;

(2) by electronic mail to the individual's last known electronic mail address; and

(3) six (6) months and thirty (30) days before the date described in subsection (b)(1).

(e) Each county shall develop and implement a plan for the secured storage of samples.

(f) The director of the Indiana criminal justice institute may delay the implementation of this section until the earlier of the following:

(1) A date set by the director.

(2) The date funding becomes available by a grant through the criminal justice institute or by an appropriation from the general assembly.

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- (3) If the director of the criminal justice institute delays implementation of this section, the director shall notify the prosecuting attorney of each county of the director's action and when funding becomes available to implement this section.

(g) The failure to comply with:

- (1) this chapter;
- (2) a plan adopted by a county; or
- (3) a protocol adopted by a sexual assault response team;

does not, standing alone, affect the admissibility of a sample as evidence in a criminal or civil proceeding.

As added by P.L.41-2007, SEC.19.

Traffic Safety Division—Legislative Summary
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I. Legislative Summary

The following legislation was enacted and became effective during FY 2007:

Seat Belts

I.C. 9-19-10-2: each occupant of a motor vehicle equipped with a safety belt that 1) meets the standards stated in the Federal Motor Vehicle Safety Standard Number 209 (49 CFR 571.208) and 2) is standard equipment installed by the manufacturer; shall have a safety belt properly fastened about the occupant's body at all time when the vehicle is in forward motion. Pickup truck exemption eliminated, includes all occupants in pickup trucks and SUVs registered as "trucks". The following new exceptions to the seatbelt requirement are:

- Occupants of farm truck used on a farm in connection with agricultural pursuits that are usual and normal to farming;
- Occupants of a parade vehicle;
- Occupants in living quarters of an RV;
- Occupants in treatment area of an ambulance;
- Occupants in the sleeping area of a semi-tractor;
- Occupants other than the operator of a truck on a construction site
- Passenger other than operator in a cab of a recovery vehicle (tow truck) who is being transported in the cab because the passenger's motor vehicle is being towed by the recovery vehicle (tow truck);
- Occupant other than the operator of a motor vehicle being used by a public utility in an emergency as set forth in IC 9-20-6-5

Primary Enforcement

I.C. 9-19-10-3.1: Police may stop a vehicle to determine seat belt compliance; however, a vehicle, its contents, the driver or a passenger in a vehicle may not be inspected, searched or detained solely because of a seatbelt violation. Law enforcement agencies may not use safety belt checkpoints to detect and issue citations for failure to wear a seatbelt as required.

Highway Work Zones

IC 9-21-5-11: Minimum fines for speeding in a highway work zone when workers present increased. First offense minimum fine \$300, prior offense within 3 years, minimum fine \$500; 2 or more prior offenses within 3 years, minimum fine \$1000.

IC 9-21-8-56(b), (c) Class A misdemeanor: "knowingly" or "intentionally" engage in aggressive driving or speed contest; "recklessly" operate a vehicle in the immediate vicinity of a highway work zone when workers present; "knowingly", "intentionally" or "recklessly" operate a vehicle in the immediate vicinity of a work zone when workers present with intent to damage traffic control device or inflict bodily injury on a worker;

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“recklessly fail to obey a traffic control device or flagman in the immediate vicinity of a work zone when workers present.

IC 9-21-8-56 (f) Class D Felony: Prior unrelated conviction within 5 years; person operating the vehicle while intoxicated or operating with BAC greater than .08%; offense results in bodily injury to a worker in the worksite.

IC 9-21-8-56 (h) Class C Felony: Offense results in death of a worker at a worksite.

Electronic Citation

IC 9-13-2-49.5, IC 9-30-3-2.5, IC 9-30-3-5.3, IC 9-30-3-5.7, IC 9-30-3-6, IC 9-30-3-8, and IC 9-30-3-11: Authorizes Division of State Court Administration to prescribe 1) traffic information and summons; or 2) complaint and summons in an electronic format; law enforcement officer may issue and electronic traffic ticket in lieu of a paper ticket; authorizes transmission of electronic ticket to court under certain conditions; electronic traffic ticket admissible in court under certain circumstances;

- (1) A traffic information and summons;
- (2) A complaint and summons; for traffic cases that is in an electronic format prescribed by the division of state court administration.

Law enforcement officer who issues electronic traffic ticket may print electronic traffic ticket at site of violation; shall inform the individual and note on electronic traffic ticket whether the individual must appear in court and the specific date and specific time. Electronic traffic ticket bearing a printed or digital signature of the issuing law enforcement officer and the prosecuting attorney or a representative of the office of the prosecuting attorney of county in which electronic traffic ticket issued is admissible as if the signatures were original signatures. Law enforcement officer who issues electronic traffic ticket may transmit it to court electronically if electronic ticket and court are in compliance with administrative rules adopted by Supreme Court; law enforcement officer who issues electronic ticket shall indicate whether he or she served the person receiving the electronic ticket. The electronic transmission of an electronic traffic ticket shall be considered as an original certified copy of the traffic information and summons or complaint and summons; electronic traffic ticket may be used:

- To notify BMV of FTA or failure to answer (Indiana Resident and non-Resident)
- To notify BMV upon final determination of FTA or as a record of conviction, entry of judgment, or finding made by a court.

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I. Introduction

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There are two (2) types of compensation applications used by the Fund:

1. Violent Crime Application - The Violent Crime Application is submitted by the Victim or other qualified party (i.e. parent, spouse, legal dependent, or personal representative); and,
2. Sex Crime Application - The Sex Crime Application is submitted by the Medical Provider who performs the forensic examination.

There are significant differences in the type of compensable services available underneath the two (2) types of compensation applications. Below please find a brief overview of each:

VIOLENT CRIME APPLICATION.

- Legal Requirements:
 - Indiana Code defines a violent crime as a felony or Class A misdemeanor that results in bodily injury or death to the Victim.
 - Crime must have occurred in Indiana. If a resident of Indiana is a crime victim in a jurisdiction other than Indiana – including a foreign country – an Application for Compensation must be filed in that jurisdiction (if available and substantially comparable to Indiana's program – if not available, then they may file an Application for Compensation in Indiana.).
 - Crime must have been reported to Police within 72 hours.
 - Victim must have incurred a minimum out-of-pocket loss of \$100.
 - Victim or survivors must have been (and remain) cooperative throughout the investigation and prosecution of the crime.
 - *The Application for Benefits must be filed no later than 180 days after the crime occurred. *Division has discretion to extend the filing time period up to two (2) years.

Traffic Safety Division—Program Cost Summary

2007 Program Cost Summary – Traffic Safety Division											
		Federal Funding Streams									State Funding Streams
	2007 Budget	406	402	410 J8	405A	2010 MC	408 TR	154 HE/AL	157 PT	Total Federal Funds	State Hard Match
Resources											
Est. 2006 Carry Forward		-	603,405	1,561,277	91,533	122,982	812,005	233,184	174,806	3,599,192	-
FY 2007 Award Estimate		-	4,478,431	2,213,451	683,287	122,952	812,005	3,232,013	-	11,542,139	-
2007 State Match		-	-	-	-	-	-	-	-	-	447,839
Total		-	5,081,836	3,774,728	774,820	245,934	1,624,010	3,465,197	174,806	15,141,331	447,839
Planning and Administrative											
P & A – Federal	447,839	-	447,839	-	-	-	-	-	-	447,839	-
P & A – State	447,839	-	-	-	-	-	-	-	-	-	447,839
Subtotal P & A	895,677	-	447,839	-	-	-	-	-	-	447,839	447,839
Occupant Protection											
Program Management	53,000	-	-	-	53,000	-	-	-	-	53,000	-
Automotive Safety Program	713,950	-	305,657	-	308,487	-	-	-	99,806	713,950	-
Seat Belt Enforcement	579,843	-	579,843	-	-	-	-	-	-	579,843	-
Subtotal Occ. Protection	1,346,793	-	885,500	-	361,487	-	-	-	99,806	1,346,793	-
Alcohol											
Program Management	53,000	-	-	53,000	-	-	-	-	-	53,000	-

Traffic Safety Division—Program Cost Summary

FACT	1,249,436	-	-	-	-	-	-	-	1,249,436	-	-	-
Enforcement (DUI)	1,860,189	-	-	-	-	1,509,444	-	-	350,745	-	-	1,860,189
Indiana Judicial Center	29,956	-	-	-	-	29,956	-	-	-	-	-	29,956
SFST/DRE	202,226	-	-	-	-	-	-	-	202,226	-	-	-
T.S. Resource Prosecutor	197,409	-	-	-	-	-	-	-	197,409	-	-	-
Excise Police	97,500	-	-	-	-	-	-	-	97,500	-	-	-
SADD	147,408	-	-	-	-	-	-	-	147,408	-	-	-
Alcohol Assessment	-	-	-	-	-	-	-	-	-	-	-	-
Subtotal Alcohol	3,837,124	-	-	-	-	1,592,400	-	-	2,244,725	-	-	3,837,124
PTS												
Program Management	53,000	-	53,000	-	-	-	-	-	-	-	-	53,000
Statewide Training	20,000	-	15,000	-	-	-	-	-	5,000	-	-	20,000
OPO Awards Banquet	100,000	-	50,000	-	-	-	-	-	50,000	-	-	100,000
Indiana State Police	1,118,709	-	472,855	-	-	472,855	-	-	173,000	-	-	1,118,709
BCC Enforcement	2,044,206	-	1,833,154	-	-	136,051	-	-	-	75,000	-	2,044,206
Subtotal PTS	3,335,915	-	2,424,009	-	-	608,906	-	-	228,000	75,000	-	3,335,915

Traffic Safety Division—Program Cost Summary

FY 2007 Program Cost Summary Cont.											
		Federal Funding Streams								State Funding Streams	
	2008 Budget	406	402	410 J8	405A	2010 MC	408 TR	154 HE/AL	157 PT	Total Federal Funds	State Hard Match
Community TS											
LEL Program	490,000	-	163,334	-	163,333	-	-	163,333	-	490,000	-
Communications Division	1,577,755	-	777,755	550,000	250,000	-	-	-	-	1,577,755	-
Community Awareness	45,955	-	-	-	-	-	-	45,955	-	45,955	-
Subtotal Community TS	2,113,710	-	941,089	550,000	413,333	-	-	209,288	-	2,113,710	-
Traffic Records											
Program Management	53,000	-	-	-	-	-	53,000	-	-	53,000	-
Evaluation of Mapping	440,000	-	330,000	110,000	-	-	-	-	-	440,000	-
The Center/Purdue	-	-	-	-	-	-	-	-	-	-	-
Trauma Registry Program	150,000	-	-	-	-	-	150,000	-	-	150,000	-
EMS Software Upgrade	140,575	-	-	-	-	-	140,575	-	-	140,575	-
County Corner Data Submis.	184,000	-	-	-	-	-	184,000	-	-	184,000	-
E-Citation Program	284,430	-	-	-	-	-	284,430	-	-	284,430	-
Subtotal Traffic Records	1,252,005	-	330,000	110,000	-	-	812,005	-	-	1,252,005	-
Motorcycles											
Lease/Purchase of	12,952	-	-	-	-	12,952	-	-	-	12,952	-

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Traffic Safety Division—Program Cost Summary

[illegible]